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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: *Nehls et al.*

Serial No.: 09/417,522

Group Art Unit: 1631

Filing Date: October 13, 1999

Examiner: M. Moran

For: NOVEL HUMAN POLYNUCLEOTIDES AND THE POLYPEPTIDES ENCODED THEREBY
Attorney Docket No.: 8535-027-999

#28
Plunkett
1/5/04

**REQUEST TO ESTABLISH SMALL ENTITY STATUS AND
REQUEST FOR REFUND UNDER 37 CFR § 1.28**

Application Processing Division
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed herewith is a Verified Statement Claiming Small Entity Status in compliance with 37 CFR §§ 1.9(f) and 1.27(c) for the captioned patent application. It is respectfully requested that Applicants be accorded small entity status under 37 CFR § 1.27(c).

A fee for a Petition for Extension of Time for \$380.00 was paid on August 2, 2000, in connection with the above-identified application from Pennie & Edmonds LLP Deposit Account No. 16-1150, of which \$190.00 is in excess of the amount now required. Pursuant to 37 CFR § 1.28(a) Applicants request a refund of the excess amount within two months of its timely payment. Accordingly, Applicants hereby request that the amount of **\$190.00 be credited** to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Rahul Pathak

42,983

(Reg. No.)

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Date: August 24, 2000

Enclosure